

DOCKET NO. 4014.1074 US**TERMINAL DISCLAIMER TO OVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER PENDING APPLICATIONS**

In re Application of: Yat Sun Or

Application No.: 10/763,377

Filed: January 23, 2004

Confirmation No.: 7571

For: BRIDGED MACROCYCLIC COMPOUNDS AND PROCESSES FOR THE PREPARATION THEREOF

The owner, Enanta Pharmaceuticals, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application Number 10/946,339, filed on September 21, 2004, Application Number 10/840,949, filed on May 7, 2004, Application Number 10/758,409, filed on January 14, 2004, Application Number 10/436,622, filed on May 13, 2003 and Application Number 11/008,581, filed on December 7, 2004. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the pending applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

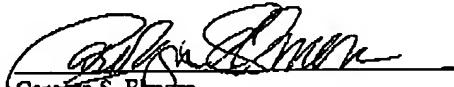
In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the pending applications, as shortened by any terminal disclaimer filed prior to the grant of any patent on the pending applications, in the event that any such granted patent(s) expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

The undersigned is an attorney of record.

3/20/04

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